

The Honorable Judge Marsha Pechman

**UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF WASHINGTON AT SEATTLE**

TRAVIS MICKELSON, DANIELLE H.
MICKELSON, and the marital community
thereof,

Plaintiffs,

v.

CHASE HOME FINANCE, LLC, an unknown
entity; JPMORGAN CHASE BANK, N.A., a
foreign corporation; MORTGAGE
ELECTRONIC REGISTRATION SYSTEMS,
INC., a foreign corporation; NORTHWEST
TRUSTEE SERVICES, INC., a domestic
corporation; JOHN DOES, unknown entities;
MORTGAGEIT, INC., a foreign corporation;
GMAC MORTGAGE CORPORATION, a
foreign corporation; CHICAGO TITLE, an
unknown corporation; ROUTH CRABTREE
OLSEN, P.S., a domestic Personal Services
Corporation; and FEDERAL HOME LOAN
MORTGAGE CORPORATION, a corporation,

Defendants.

No. C11-01445 MJP

**JOINT STIPULATION TO CONTINUE
PRETRIAL DEADLINES AND TRIAL
DATE**

**NOTE ON MOTION CALENDAR:
November 16, 2012**

Plaintiffs Travis Mickelson and Danielle Mickelson (“Plaintiffs”), and Defendants
Northwest Trustee Services (“NWTS”), Vonnie McElligott (“McElligott”), and Routh Crabtree
Olsen, P.S. (“RCO”) (collectively “Defendants” for this Stipulation), through their undersigned
counsel, hereby stipulate and respectfully jointly request the Court continue the pretrial and trial

1 deadlines as follows. The parties request the trial date be continued to April 1, 2013 – or until 90
2 days after the Court resolves the cross motions for summary judgment, whichever is later. The
3 parties also request an extension of the other pretrial deadlines, accordingly.

4 In support of these requested extensions, the parties advise the Court as follows:

- 5 1. Trial is currently scheduled for January 14, 2013. Dkt. 95.
- 6 2. Plaintiffs and Defendants have filed cross motions for summary judgment, which
7 were noted for October 12, 2012. Dkt. 99 and 103.
- 8 3. The Court has scheduled oral argument on Plaintiff's Partial Motion for Summary
9 Judgment for November 30, 2012. Dkt. 119.
- 10 4. The Court, to date, has not entered an Order on Defendants' Motion for Summary
11 Judgment.
- 12 5. Based on the pretrial deadlines set forth by the Court's Order granting in part and
13 denying in part Defendants' Motion for Reconsideration and Granting request to
14 set new deadlines (Dkt. 95), Plaintiff's Pre-Trial Statement is due November 28,
15 2012 and the parties' Motions in Limine are due November 30, 2012. Shortly,
16 thereafter, Defendants' Pre-Trial Statement is due and the deadline to exchange
17 jury instructions, verdict forms, and special interrogatories is on December 7,
18 2012.
- 19 6. The parties believe good cause exists to continue the pretrial and trial deadlines as
20 the parties wish to defer the expense of preparing for trial when they believe a
21 resolution by the Court on the pending cross motions for summary judgment (a)
22 will not be issued in advance of many of the pretrial deadlines, (b) may dispense
23 of the need for trial in entirety, or (c) may significantly narrow the issues that will
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be considered at trial.

7. The parties believe good cause exists to continue the pretrial and trial deadlines because it would be inefficient for each side to expend substantial resources preparing for trial that may not occur, or that may occur under a different scope, depending on the court's rulings on the cross motions for summary judgment.
8. The parties believe good cause exists to continue the pretrial and trial deadlines in that the parties could avoid inundating the Court with pretrial filings on issues that may be mooted or changed substantially by the Court's ruling on the cross motions for summary judgment.
9. Finally, Plaintiffs' counsel is currently experiencing health issues and believes that, in addition to the reasons set forth above, his current health presents good cause for an extension of the pretrial and trial deadlines. Furthermore, Defendants' counsel has scheduled a trip out of state to visit family for the holidays from December 24, 2012 through January 1, 2013, which corresponds with some of the pretrial deadlines.¹
10. The parties have conferred with counsel for Defendants JPMorgan Chase Bank, N.A., Federal Home Loan Mortgage Corporation, and Mortgage Electronic Registration Systems, Inc. While the foregoing Defendants have been dismissed from this action and would likely not participate in trial, they do not oppose an extension of the pretrial and trial deadlines.

¹ Counsel for Defendants recognizes the current trial date and pretrial deadlines were set pursuant to a request from Defendants to set new deadlines. Those deadlines were suggested by the attorney filling in for Defendants' primary counsel while she was out of the country without knowledge the suggested dates conflicted with primary counsel's one other planned absence of the year.

1 For the foregoing reasons, the parties respectfully request an extension of pretrial and
2 trial deadlines as described above. As such, the parties seek entry of the subjoined Order
3 approving the same.

4 DATED this 16th day of November, 2012.

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6 **STAFNE LAW FIRM**

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8 By: /s/ Scott E. Stafne
9 Scott E. Stafne, WSBA #6964
Attorney for Plaintiffs

10 **ROUTH CRABTREE OLSEN, P.S.**

11
12 By: /s/ Heidi Buck Morrison
13 Heidi Buck Morrison, WSBA #31491
14 Of Attorneys for Defendants Northwest Trustee Services,
Inc., Vonnie McElligott, and Routh Crabtree Olsen, P.S.